

JEFFREY SAAB, ESQ.
Nevada State Bar No. 11261
CARYN R. SCHIFFMAN, ESQ.
Nevada State Bar No. 14610
BREMER WHYTE BROWN & O'MEARA LLP
1160 N. TOWN CENTER DRIVE
SUITE 250
LAS VEGAS, NV 89144
TELEPHONE: (702) 258-6665
FACSIMILE: (702) 258-6662
jsaab@bremerwhyte.com
cschiffman@bremerwhyte.com

Attorneys for Defendant,
James River Insurance Company

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LYNDON JOHN ROTH and ROWENA
ROTH,

Plaintiffs,

vs.

GEICO GENERAL INSURANCE
COMPANY, JAMES RIVER
INSURANCE COMPANY, DOES I - X,
AND ROE CORPORATIONS I - X,
inclusive,

Defendants.

Case No.: 2:21-cv-00408-CDS-EJY

**STIPULATION AND ORDER TO
STAY DEADLINES**

Defendant James River Insurance Company ("Defendant" or JRIC"), by and through its counsel of record, Jeffrey W. Saab, Esq., and Caryn R. Schiffman, Esq. of Bremer Whyte Brown & O'Meara, LLP and Plaintiffs Lyndon Roth and Rowena Roth ("Plaintiffs") (collectively the "Parties") by and through its attorney of record Christian Griffin, Esq. of Hale Injury Law hereby file this stipulation to request a stay of the remaining discovery deadlines and dispositive motion deadline and joint pretrial order deadlines accordingly.

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Introduction and Procedural Background

This case involves a claim for underinsured motorist benefits (“UIM”) arising from an accident which occurred in Las Vegas, Nevada. Plaintiff Lyndon Roth was driving an Uber when the subject accident occurred with two fares in his vehicle. Specifically, he was driving on Russell when the third-party tortfeasor crossed over multiple lanes of traffic causing the subject accident. The Tortfeasor maintained an insurance policy with Geico at the time the subject accident occurred. On or about February 24, 2021, Plaintiffs filed their complaint in the Eighth Judicial District Court and obtained the case no. A-21-829070-C. That same day, Plaintiffs also filed their First Amended Complaint. On or about March 11, 2021, Defendant JRIC filed its Notice of Removal in the United States District Court for the District of Nevada, based upon diversity. [ECF No. 1] Defendant filed its Certificate of Interested Parties on March 11, 2021, and its Statement of Removal. On March 11, 2021, this case was assigned to the Honorable Judge Gloria M. Navarro via minute order. [ECF No. 4]. On June 21, 2021, Defendant JRIC timely filed an Answer with all applicable affirmative defenses. [ECF No. 13]. On or about April 13, 2021, a voluntary dismissal was filed regarding Defendant Geico General Insurance Company, as it tendered its policy limits of \$25,000.00. The Parties conducted the FRCP 26 conference and timely filed the Joint Discovery Order and Scheduling Order which set the relevant discovery dates in this matter. [ECF No. 14]. On or about March 14, 2022, the Parties filed their First Stipulation and Order to Extend deadlines. [ECF No. 19]. The reason for the prior extension was in part due to continued treatment of Plaintiff Lyndon Roth as well as the disclosure of a more recent accident that he was involved in after the accident that is the subject of this litigation. At this juncture the Parties mutually agree to a sixty-day stay of the deadlines to use their resources to settle this case either via informally or private mediation.

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Below, please find a chart depicting the current deadlines

Deadline	Current Deadline
Amend Pleadings or add parties	Completed
FRCP 26(a)(2) Initial Experts	6/17/2022
Rebuttal Experts ¹	8/16/2022
Dispositive Motions ²	9/9/2022
Pretrial Order ³	10/19/2022
Discovery cut-off	8/19/2022
Last day for extension or modification of Discovery Plan and Scheduling Order	7/28/2022

**BREMER WHYTE BROWN &
O'MEARA LLP**

HALE INJURY LAW

By: /s/ Caryn Schiffman
Jeffrey W. Saab, Esq.
Nevada State Bar No. 11261
Caryn R. Schiffman, Esq.,
Nevada State Bar No. 14610
*Attorneys for Defendant
James River Insurance Company*

By: /s/ Christian N. Griffin
Christian N. Griffin, Esq.
Nevada State Bar No. 10601
Attorneys for Plaintiffs

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the parties must file a joint status report no later than August 3, 2022 regarding the status of settlement discussions. If settlement has not been reached, the parties must include in the report a proposed schedule for completion of discovery, filing dispositive motions, and submission of the pretrial order.


UNITED STATES MAGISTRATE JUDGE

Dated: June 3, 2022

¹ The disclosure of rebuttal experts and their reports shall proceed according to FRCP 26(a)(2) and LR26-1(e)(3).

² This deadline is 30 days after the revised close of discovery.

³ The Parties will prepare the joint pretrial not more than 30 days after the revised date set for filing dispositive motions as required by LR26-1(e)(5). This deadline will be suspended if dispositive motions are timely filed until 30 days after the decision of the dispositive motions or until further order of the Court. The disclosure required by FRCP Rule 26(a)(3), and objections thereto, shall be included in the pre-trial order.